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July 19, 2010

**VIA ECF**

The Honorable Joanna Seybert  
United States District Judge  
United States District Court for the Eastern District of New York  
100 Federal Plaza  
P.O. Box 9014  
Central Islip, New York 11722

Re: Hooda v. Brookhaven Science Associates, *et al.*  
U.S.D.C., E.D.N.Y., 08-CV-3403 (JS-WDW)

Dear Judge Seybert:

We represent defendants Brookhaven Science Associates, Michael Bebon, William Hempfling, George Goode and William Robert Casey (collectively, the "Brookhaven Defendants") in the above-referenced case. We write to briefly respond to Plaintiff's Notice of Motion for Clarification and Extension of Time, dated July 9, 2010 ("July 9 Motion").

While we do not oppose Plaintiff's request for an extension of time to file his Consolidated Amended Complaint, we write to highlight that it is inappropriate for Plaintiff's to make legal arguments regarding validity of his claims at this time. Plaintiff has gone beyond seeking mere "clarification" with respect to Your Honor's June 21, 2010 Memorandum and Decision. Rather, Plaintiff presents arguments regarding the legality of certain claims that he anticipates pleading in the Consolidated Amended Complaint. We respectfully submit that the Court should disregard any such arguments unless and until they are presented in conjunction with any motion practice following the filing of Plaintiff's Consolidated Amended Complaint.

ATLANTA BOSTON CHICAGO HOUSTON LOS ANGELES NEW YORK SACRAMENTO SAN FRANCISCO WASHINGTON, D.C. BRUSSELS



The Honorable Joanna Seybert

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Please feel free to contact me if Your Honor requires any additional information.

Respectfully submitted,

SEYFARTH SHAW LLP

s/ Christie Del Rey-Cone

Christie Del Rey-Cone

cc: Balwan Hooda (*pro se* plaintiff) (via email PDF and Federal Express)